

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUSAN GOLDMAN, Trustee of the Goldman
Living Trust U/A/D December 19, 2000,) Case No.: 11-CV-3028-LHK
Petitioner,)
v.) ORDER REQUESTING STATUS
JAMES R. GAGNARD, an individual, and) UPDATE
MICHELLE GAGNARD, an individual,)
Defendants.)

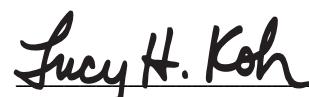
Pending before the Court are Petitioner's motion to confirm arbitration award, ECF No. 10, and Defendants' motion to stay, ECF No. 12. Both motions are set for a hearing on October 27, 2011.

The Court takes judicial notice that on October 18, 2011, in *Gagnard v. Campi Properties, Inc.*, No. 110 CV 167727, the Santa Clara Superior Court dismissed, with prejudice, Defendants' cause of action seeking a declaration of the amount, if any, that the arbitrator's award should be offset to take into account the compensation Petitioner has already received in settlement. See ECF No. 30.

By 5:00 p.m. on October 24, 2011, Defendants are hereby ORDERED to withdraw their motion to stay as moot or file a statement, limited to 3 pages, explaining why their motion is not moot in light of the Superior Court's October 18 Order.

IT IS SO ORDERED.

October 24, 2011



LUCY H. KOH

United States District Judge